

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1758-01
Bill No.: HB 631
Subject: Education, Elementary and Secondary: Elementary and Secondary Education
Dept; Entertainment, Sports and Amusements
Type: Original
Date: March 17, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education** indicated this proposal would have no fiscal impact on their agency or on school districts.

Officials from the **Saint Louis Public Schools** and the **Columbia School District** stated this proposal would have no fiscal impact on their districts.

Officials from the **Missouri Senate** and the **Missouri House of Representatives** assumed no fiscal impact as a result of this proposal.

Officials from the **Secretary of State's Office (SOS)** assumed the rules, regulations and forms issued by the Department of Elementary and Secondary Education could require as many as 4 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in the Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the *Code of State Regulations* is \$27. The actual costs could be more or less the SOS's estimated cost of \$246 for FY 2004. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules, filed, amended, rescinded or withdrawn.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal regulates the conditions under which public schools may join or retain membership in statewide activities associations that regulate competitive extracurricular activities. Public schools cannot join an association when it:

- (1) Does not conform to the state's open records and meetings law (Chapter 610, RSMo);
- (2) Does not permit students to be represented by counsel or other advocate at eligibility hearings;
- (3) Has rules that effectively prohibit the participation of home schooled students or private school students in a public school's extracurricular program. The proposal outlines how these students may establish their academic eligibility for public school teams;
- (4) Does not recognize that a student with an individualized education plan may be held back without affecting the student's eligibility;

DESCRIPTION (continued)

- (5) Uses an adjustment factor, beyond what is necessary to accommodate gender differences in student populations, to determine classification of schools;
- (6) Permits member schools to vote out other members for reasons other than application of the association's discipline policies; and
- (7) Does not have an appeal process for eligibility that conforms to the standards set in the proposal.

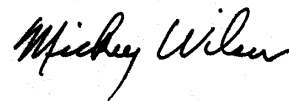
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Missouri Senate
House of Representatives
Office of Secretary of State
Administrative Rules Division
Columbia School District
Saint Louis Public Schools

NOT RESPONDING

Jefferson City School District



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DIRECTOR
MARCH 17, 2003